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**To:** Microsoft ATR  
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The Microsoft settlement is too lenient. It does almost nothing to stop Microsoft's monopolistic behavior. Let me talk about why it does practically nothing.

1. Sure, preventing Microsoft from coercing computer makers into excluding certain icons on the desktop is good. But it has a limited effect. Do you go to the desktop every time you want to run an application, or do you use the Start button? Personally, I don't see my desktop for weeks at a time. This is a very small concession from Microsoft.
2. Forcing Microsoft to disclose information about the OS...This is not a concession at all. They have always been good about sharing technical information. That is why Windows won the battle against OS/2. They made it easier for developers than IBM. Bill is laughing at you guys for this one. I know about this. I am a software developer. I have never had a problem obtaining information about Microsoft APIs. Go to <http://msdn.microsoft.com/library/> and see all the documentation they provide for developers. Or search their knowledge base at: [http://search.microsoft.com/advanced\\_search.asp?qu=&siteid=us](http://search.microsoft.com/advanced_search.asp?qu=&siteid=us).
3. Do you really think somebody on Microsoft's campus is going to do anything? Microsoft will only allow them to see what they want. And what if there is a disagreement? We will go back to court for a long protracted battle, and 3 operating systems later, maybe a judge will issue an injunction. It will not stop their monopolistic behavior.

Here is the real issue. Microsoft can run just about any software company out of business, as they did with Netscape. All they have to do is include a certain piece of software in the operating system for "free". Will people play for something, they can get for "free"? No, I don't think so--Microsoft will run the competition out of business. And of course, it is not free. Microsoft has to pay their developers for every application they develop. The price of the operating system goes up, and consumers have to pay for products they may not need. This is tying two products together. If you want the operating system, you have to buy a web browser, and TCP/IP stack, and media player, and Paint program, and word processor, and games, and phone dialer, and email program, etc. Is tying illegal? I suspect it is.

Judge Jackson's decision to split Microsoft into 2 companies is a good one. Let the MS software company compete with others on an equal footing. Put somebody in the MS operating system company to ensure that only OS functionality is added to the operating system. Any new additions to the OS must be approved as an integral part of the operating system, and

not an application. That way, all applications have an equal chance to succeed, and competition is restored. Not only that...but the OS company can focus on making the OS smaller, faster, and more stable, without having to worry about writing applications.

Splitting Microsoft into two companies is a win-win situation for consumers. They get a better OS, and competition is restored to the software applications business.

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